

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

Green Revolution Cooling, Inc.

Defendant

Civil Action No. 6:24-cv-00166-ADA

Jury Trial Demanded

JOINT CLAIM CONSTRUCTION STATEMENT

Midas Green Technologies, LLC and Green Revolution Cooling, Inc. submit this Joint Claim Construction Statement pursuant to the Scheduling Order (Dkt. 23). An editable copy of this Statement has also been emailed to the Judge's clerk.

ONE AGREED TERM FOR US PATENT 10,405,457

| AGREED TERM (claims 1 & 6) | AGREED CONSTRUCTION |
|---|--|
| "plenum" | <i>"a structure for dispensing liquid"</i> |

THE FOUR DISPUTED TERMS FOR US PATENT 10,405,457

| DISPUTED TERM 1 (claims 1 & 6) | MIDAS PROPOSAL | GRC PROPOSAL |
|---|--|---|
| "weir" | <i>"an overflow structure or barrier that a liquid flows over"</i> | <i>"an overflow structure or barrier that determines the level of liquid"</i> |

| DISPUTED TERM 2 (claims 1 & 6) | MIDAS PROPOSAL | GRC PROPOSAL |
|--|-----------------------|--|
| “a weir, integrated horizontally into the long wall of the tank” | <i>Plain Meaning</i> | <i>“a weir having a horizontal (as opposed to vertical) orientation that is integrated into the long wall of the tank”</i> |

| DISPUTED TERM 3 (claims 1 & 6) | MIDAS PROPOSAL | GRC PROPOSAL |
|---|-----------------------|--|
| “a dielectric fluid recovery reservoir . . . adapted to receive the dielectric fluid as it flows over the weir” | <i>Plain Meaning</i> | <i>“the dielectric fluid is received by the recovery reservoir as soon as the fluid flows over the weir”</i> |

| DISPUTED TERM 4 (claim 2) | MIDAS PROPOSAL | GRC PROPOSAL |
|---|---|-------------------------------------|
| “the tank and primary circulation facility comprise a highly-integrated module” | Not indefinite pursuant to 35 USC § 112 | Indefinite pursuant to 35 USC § 112 |

Pursuant to the Court’s Standing Order Governing Proceedings – Patent Cases, both parties proposed the “weir” and “plenum” terms for construction, while Defendant proposed disputed terms 2-4 for construction.

DATED: January 15, 2025

Respectfully submitted,

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Dated: January 15, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2025, a true and correct copy of was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Tierra Mendiola
Tierra Mendiola